

PATENT

Attorney Docket No.
033035 M 0342

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of:)	CONFIRMATION NO.: 6958
)	
Kensaku MOTOKI, et al.)	
)	
U.S. Serial No.: 10/691,569)	Group Art Unit: 2814
)	
Filed: October 24, 2003)	Examiner: Pizarro Crespo, Marcos D.
For: GaN SINGLE CRYSTAL SUBSTRATE AND METHOD OF MAKING THE SAME		

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in reply to the Notice of Non-Compliant Amendment mailed June 23, 2008.

In item 2 under "Time Periods for Filing A Reply" on page 1 of the Notice, the Office states that a response is due one month or thirty days, whichever is longer, from the mail date of the Notice; therefore, the time for response to the Notice is set to expire on July 23, 3008.

Further, also in item 2 on page 1 of the Notice, the Office states that: "If any of above boxes 1 to 4 are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121" (our emphasis added).

Notwithstanding these instructions, the Applicants provide herewith a complete copy of Applicants' Amendment filed June 5, 2008, including new claim 61 corrected as indicated in item 4(E) on page 1 of the Notice.

A copy of the Notice of Non-Compliant Amendment is enclosed.

REMARKS

The Notice of Non-Compliant Amendment mailed June 23, 2008, has been carefully reviewed, and this amendment is responsive thereto. Further consideration of this application courteously is solicited. By this paper, new claim 61 is presented without markings.

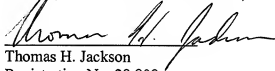
In view of the foregoing amendments and remarks, it courteously is urged that all of the claims are allowable and that this application is in condition for allowance. Favorable action in this regard earnestly is solicited.

In the event a fee is required for filing this Response to Notice of Non-Compliant Amendment, and any fees required therefor, are hereby authorized to be charged to **Deposit Account No. 02-4300, Attorney Docket No. 033035M0342.**

Respectfully submitted,

SMITH, GAMBRELL & RUSSELL, LLP

By:


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MAM/THJ/lmq



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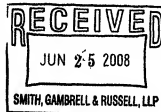
033035-034DIV2

Paper No.

Final Resp./Not of Appeal w/ 2 ext. = 7-11-08

Application No.:	10/691,569	Date Mailed:	06/23/2008
First Named Inventor:	Motoki, Kensaku,	Examiner:	PIZARRO CRESPO, MARCOS D
Attorney Docket No.:	33035M0342	Art Unit:	2814
Confirmation No.:	6958	Filing Date:	10/24/2003

Please find attached an Office communication concerning this application or proceeding.



Notice of Non-Compliant Amendment (37 CFR 1.121)	Application No. 10/691,569		Applicant(s) MOTOKI ET AL.	
	Art Unit 2800			

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 05 June, 2008 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
 - ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
 - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
 - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
 - ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: New claims (claim 61) should not have markings.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4): For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance, or a drawing submission (only) If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the entire **corrected amendment** must be resubmitted.
2. Applicant is given **one month, or thirty (30) days**, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1 to 4 are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

- Abandonment of the application** if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or
- Non-entry of the amendment** if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable /TINA M. BELL/

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